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United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development
New York, 5-9 June 2017
Agenda item 8
General debate

Letter dated 5 June 2017 from the Permanent Representative of Chile to the United Nations addressed to the Presidents of the Conference

I have the honour to transmit herewith the text of a written statement by the delegation of Chile (see annex), in exercise of the right of reply to the statement made by the President of the Plurinational State of Bolivia, Evo Morales, on 5 June 2017 at the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development, under agenda item 8. I should be grateful if you would have this letter and its annex circulated as a document of the Conference, under agenda item 8.

(*Signed*) Cristián **Barros**

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Annex to the letter dated 5 June 2017 from the Permanent Representative of Chile to the United Nations addressed to the Presidents of the Conference

The Ocean Conference: Sustainable Development Goal 14

Reply to the statement made by the President of the Plurinational State of Bolivia, Evo Morales, at United Nations Headquarters on Monday, 5 June 2017

The President of the Plurinational State of Bolivia, Evo Morales, referred to Chile in his address to the General Assembly on Monday, 5 June 2017 at the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development.

Use and abuse of the United Nations

Chile deeply regrets that the President of Bolivia, Evo Morales, has once again used a multilateral forum to refer to issues that pertain exclusively to the bilateral relationship between Chile and Bolivia and have nothing to do with the Conference in question. On this occasion, President Morales has exploited the high-level Conference on Sustainable Development Goal 14 to refer to issues that are completely unrelated to the national, regional and global efforts to conserve and sustainably use the oceans, seas and marine resources for sustainable development. Goal 14 does not establish any goals or targets concerning sea access, and therefore President Morales is making an interpretation that distorts the meaning of the 2030 Agenda for Sustainable Development and Goal 14, and he does so for specific domestic reasons rather than out of a spirit of understanding and support for the global sustainable development agenda of the United Nations.

This is not the first time that President Morales has confused and abused multilateral platforms and the good faith of the entire United Nations membership to air grievances that are doubly wrong: in terms of their content, and in terms of the forum in which they have been raised. Bolivia still does not understand that the United Nations is the ultimate multilateral forum, a place where countries come together to discuss and resolve issues that are of true global interest, not to deal with complaints relating to individual interests.

Case submitted to the International Court of Justice

Furthermore, it is regrettable and inappropriate that Bolivia should refer to its quest for sea access at this Conference, since the International Court of Justice, the highest international court, is currently considering an application filed by Bolivia on the subject. The principles of the proper administration of justice indicate that parties with cases pending before the Court must refrain from using the General Assembly or the Security Council as a tool in respect of disputes that are already subject to the jurisdiction of the principal judicial organ of the United Nations. The President of Bolivia has once again failed to abide by this rule and has not acknowledged his clear obligations in this regard.

Contradictions with regard to sustainable development

The individualistic and utilitarian approach of Bolivia at this Conference contrasts with the real and honest efforts being made by Member States at the global, regional and national level to make progress in implementing the 2030 Agenda for Sustainable Development, and especially in achieving the 17 Sustainable Development Goals.

Indeed, Bolivia has argued that it has made a special commitment to sustainable development and it has even promoted the concept of "Mother Earth". However, the strong commitment it claims to have to environmental protection contrasts with ongoing reports from various specialized sources indicating, for example, that the rate of deforestation in Bolivia is 289,000 hectares per year, placing it among the 10 countries with the highest levels of deforestation in the world (Food and Agriculture Organization of the United Nations). This is particularly worrisome as Bolivia has the world's sixth largest surface area of tropical forests.

Deforestation is accompanied by land degradation resulting from industrial monocultures. The Convention on Biological Diversity indicates that the surface area under cultivation in Bolivia rose by 21 per cent between 2005 and 2012 and that it will increase by an additional 6 million hectares by 2025.

With regard to sustainable fisheries, there are significant contradictions between the ocean protection mentioned by President Morales and the reports of vessels flying his country's flag that are engaged in illegal, unreported and unregulated fishing in areas managed by regional fishery bodies. Such practices have been identified by the South Pacific Regional Fisheries Management Organization in connection with the Bolivia-flagged vessel *Cape Flower*.

Climate change

In the area of climate change, which is of concern to us all in light of the recent news, Bolivia has not reported any information under the United Nations Framework Convention on Climate Change since 2009, when it submitted its most recent national communication.

Bolivian emissions of carbon dioxide have increased steadily in recent years, a clear deviation from the path of sustainable development. According to World Bank estimates, Bolivian emissions have surged in recent years (from 12.332 billion tons of carbon dioxide equivalent in 2007 to over 19.700 billion tons in 2013). Notably, Bolivia is one of the few countries that did not commit to any emission reduction targets in the Paris Agreement.

Landlocked developing countries and the Vienna Programme of Action for Landlocked Developing Countries for the Decade 2014-2024

With regard to the references made by President Morales to the Group of Landlocked Developing Countries, Chile regrets the conceptual confusion and inconsistencies in his speech. Unfortunately, for some time now Bolivia has been mixing items on the agenda of the landlocked developing countries with other issues not included in the Vienna Programme of Action for Landlocked Developing Countries for the Decade 2014-2024. Thus, Bolivia declares itself to be a member of the Group of Landlocked Developing Countries, but adds that it is really a country that has been "temporarily deprived" of a coastline, which contradicts the name used by landlocked developing countries to describe themselves and is not an expression accepted by landlocked developing countries or by the United Nations.

The language used by Bolivia changes the meaning of the Programme of Action adopted by the landlocked developing countries, undermines the efforts of the 31 members of that group and damages the trust of transit countries. Bolivia is using the platform of the landlocked developing countries and the Programme of Action for its own ends. Neither the Programme of Action nor the United Nations Convention on the Law of the Sea, to which President Morales also referred, establish a right to an outlet to the sea, which does not exist.

It is also significant that Bolivia has not acceded to the Agreement on Trade Facilitation adopted by the World Trade Organization in December 2013, as requested by paragraph 24 of the Programme of Action. Chile has already signed and ratified this important Agreement. In addition, President Morales said that the time taken to reach Chilean ports by overland transport was very high, yet Chile complies in full with paragraph 25 of the Programme of Action, which establishes a target of 300-400 kilometres per 24 hours for transit cargo. In the case of transit between Arica and La Paz, which is the smoothest in commercial terms, the distance is 190 kilometres and the time frame required is well below the target set in paragraph 25.

Private sector participation

Bolivia has also objected to the participation of the private sector in sustainable development driven by the States Members of the United Nations, particularly in the area of port management. Everyone who is familiar with the rules of multilateralism is aware that it is completely inappropriate to make these criticisms at a multilateral headquarters forum. This is a sovereign matter that is part of each country's policy space, a concept that Bolivia often defends at the United Nations, except in regard to Chile. Just to give an example, the Programme of Action contains 17 references to the private sector, all of which are positive.

In concrete terms, the private concessions through which some Chilean ports are managed do not restrict or limit in any way the freedom of movement granted to Bolivia under international treaties. Bolivian external trade through Chilean ports has increased steadily. According to figures from the Bolivian Institute of External Trade itself, more than 5 million tons of cargo was exported via the Tambo Quemado-Charaña (Bolivia)-Arica (Chile) route between 2011 and 2015, which represents an increase of 6 per cent.

During the same period, imports amounted to 8.5 million tons, representing significant growth of 24 per cent. The Bolivian Institute of External Trade states that the second most important route for exports of principal Bolivian products in 2016 was Tambo Quemado-Charaña (Bolivia)-Arica (Chile), used for 1,029,281 tons. According to the same source, the third most important route was Uyuni-Ollague (Bolivia)-Antofagasta (Chile), used for 958,778 tons.

Stoppages in Chilean ports

With regard to the allegations of losses incurred as a result of stoppages or strikes on Chilean territory, Chile reiterates that no State is immune from demonstrations by workers calling for better working conditions, and that such demonstrations have occurred in both Chile and Bolivia. In fact, Bolivia has suppressed demonstrations, including demonstrations by transport workers, on a number of occasions.

It is important to note that "emergency" or "ethical-need" shifts have been organized during all industrial action in Chile, meaning that ports and customs have continued to operate. There has never been a complete stoppage in either of these sectors, so the figures on possible losses to the Bolivian economy mentioned by President Morales have no credible basis.

Chile is committed to listening to its workers and also understands that industrial action can occur in neighbouring countries. In that connection, Chile reiterates that, pursuant to the principles of international law, stoppages or strikes by trade unions and trade associations are not attributable to the respective States.

Conclusions

The high-level United Nations Conference to be held between 5 and 9 June has a clear purpose: to support the achievement of Sustainable Development Goal 14 and to share experiences and best practices with a view to conserving and sustainably using the oceans, seas and marine resources for sustainable development.

However, in his statement, the President of Bolivia, Evo Morales, was wrong once again in terms of the content and in his exploitation of the United Nations for his own interests. He confused basic concepts of the foundations of modern multilateralism and the established purpose of the Conference on Sustainable Development Goal 14, and he ignored the main environmental agreements and the Vienna Programme of Action for Landlocked Developing Countries for the Decade 2014-2024. His contradictions and his tenuous and distorted arguments merely confirm his lack of credibility within the international community.